

# PATENT COOPERATION TREATY

From the:  
INTERNATIONAL SEARCHING AUTHORITY

To:  
  
Griffith Hack  
GPO Box 1285K  
MELBOURNE VIC 3001

GRIFFITH HACK  
2 5 FEB 2005

1.....*let TC*  
2.....*JSB*  
3.....

## PCT

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing  
(day/month/year)     2 4 FEB 2005

Applicant's or agent's file reference  
FP21082

**FOR FURTHER ACTION**  
See paragraph 2 below

International application No.  
**PCT/AU2005/000088**

International filing date (day/month/year)  
28 January 2005

Priority date (day/month/year)  
28 January 2004

International Patent Classification (IPC) or both national classification and IPC  
**Int. Cl. <sup>7</sup> C22B 3/40, 23/00**

Applicant

COMMONWEALTH SCIENTIFIC AND INDUSTRIAL RESEARCH ORGANISATION et al

1. This opinion contains indications relating to the following items:

- ☒ Box No. I     Basis of the opinion
- ☐ Box No. II     Priority
- ☐ Box No. III     Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV     Lack of unity of invention
- ☒ Box No. V     Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI     Certain documents cited
- ☐ Box No. VII     Certain defects in the international application
- ☐ Box No. VIII     Certain observations on the international application

### 2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the IPEA/AU  
AUSTRALIAN PATENT OFFICE  
PO BOX 200, WODEN ACT 2606, AUSTRALIA  
E-mail address: pct@ipaustalia.gov.au  
Facsimile No. (02) 6285 3929

Authorized Officer

**MR KIM WELLENS**  
Telephone No. (02) 6283 2162

*Kim Wellens*

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/AU2005/000088

Box No. I      Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.  
☐ This opinion has been established on the basis of a translation from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material  
☐ a sequence listing  
☐ table(s) related to the sequence listing
  - b. format of material  
☐ in written format  
☐ in computer readable form
  - c. time of filing/furnishing  
☐ contained in the international application as filed.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

**PCT/AU2005/000088**

**Box No. V**      **Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

|                               |                     |            |
|-------------------------------|---------------------|------------|
| Novelty (N)                   | Claims              | <b>YES</b> |
|                               | Claims <b>1- 23</b> | <b>NO</b>  |
| Inventive step (IS)           | Claims              | <b>YES</b> |
|                               | Claims <b>1- 23</b> | <b>NO</b>  |
| Industrial applicability (IA) | Claims <b>1- 23</b> | <b>YES</b> |
|                               | Claims              | <b>NO</b>  |

**2. Citations and explanations:**

D1- Derwent Abstract Accession No. 84-109393/18, Class E31, J01, M25, ES 8401143 A,

(Schortmann P C), 16 February 1984

D2- US 3903235 (Cardwell et al.), 2 September 1975

D3- GB 2109357 A (Council for Mineral Technology (South Africa)), 2 June 1983

D4- WO 1998/014623 (International Curator Resources Limited), 9 April 1998

D5- CA 1223242 A (Granted to Majesty (Her) in right of Canada as represented by the Minister of Energy, Mines and Resources, Canada), 23 June 1987

D6- WO 2002/022896 A1 (Commonwealth Scientific and Industrial Research Organisation), 21 March 2002

**Novelty (N) and Inventive Step (IS) Claims 1- 23**

The claims are directed at a method of solvent extracting cobalt from a leach solution, wherein the solvent contains a carboxylic acid and a hydroxyoxime. Document D1 discloses all of these features. Consequently claims 1- 23 are not novel.